**HON'BLE SRI JUSTICE V.V.S.RAO**

**WRIT PETITION No.12532 of 2007**

**Dated:18.06.2007**

**Between:**

Boyapati Venkaiah and others.

…Petitioners

and

District Collector, Krishna District, and others.

…Respondents

**HON'BLE SRI JUSTICE V.V.S.RAO**

**WRIT PETITION No.12532 of 2007**

**ORDER:**

The petitioners herein along with others appear to have allegedly occupied land in Ghantasala Village and raised house sites and shops. They do petty business by running barber shop, cycle shop, buddies etc. In 1998, they approached this Court by filing a writ petition, being W.P.No.13460 of 1998, alleging that there is a threat of demolition from respondents in contravention of provisions of the Andhra Pradesh Panchayat Raj Act, 1994 (for short 'the Act'). This Court disposed of the writ petition on 12.04.1999 observing that the respondents cannot evict or demolish the petitioners' properties without due process of law. In this Writ Petition, petitioners allege that in the last week of May 2007, on the directions of respondents 2 and 3, the third respondent is trying to demolish the shops. It is also alleged that with the connivance of persons, who are intending to encroach the land in possession of the petitioners, the third respondent is intending to demolish the shops. Therefore, they filed the present Writ Petition.

After hearing the learned counsel for the petitioners and learned Assistant Government Pleader for Revenue (General-A), this Court is of the considered opinion that the Writ Petition is misconceived. While disposing of W.P.No.13460 of 1998, this Court directed the respondents not to evict the petitioners except in accordance with law by following the procedure under Section 98 of the Act. These orders still hold good, and if ultimately the third respondent uses force to remove the petitioners from the Gorrepati Cheruvukatha, it is always open to the petitioners to avail remedies in law. This Writ Petition is filed on mere apprehension.

The Writ Petition is, therefore, dismissed. No costs.

(V.V.S.RAO, J)

18.06.2007
GJ